

REMARKS

Claim 9 has been amended and new claim 18 has been added. Claims 9-18 are pending and under consideration.

In item 2 of the Office Action, the Examiner asserts that the specification is not enabling for the claim limitations directed to the destination mobile switching center converting the PLMN-BC information element into an Integrated Services Digital Network (ISDN) User Part (ISUP)-compliant (ISDN-BC) information element. Paragraph [0003] of the application describes that information elements can be converted. The specification does not describe the conversion in great detail because the mapping function is a general feature of the mobile switching center. The general mechanism of mapping parameters of ISDN to PLMN and vice versa is described in TS 3GPP 29.007, v3.11.0.3 GPP 29.007 is described in paragraphs [0006] and [0007] of the application. Two versions of 29.007 were submitted previously. Version 3.11.0 is being filed in an Information Disclosure Statement. Paragraph 10.2.2.6 describes the mapping function. Mapping is a usual function of the mobile switching center, as would be known to a person having ordinary skill in the art. Accordingly, it is submitted that the rejection should be withdrawn.

In item 3, the Examiner asserts that the specification does not contain a description of the PLMN-BC information element being converted into an Integrated Services Digital Network (ISDN) User Part (ISUP)-compliant (ISDN-BC) information element. Applicants respectfully disagree. The conversion of a PLMN-BC information element into an ISDN-BC information element is described throughout the application. See, for example, paragraphs [0012], [0013], [0020] and [0021]. See also page 9, paragraph [0025], last five lines.

Claims 9-11, 14, 15 and 17 are rejected under 35 USC § 103(a) as being obvious over US Patent Publication No. 2003/0027570 to Yang et al. in view of US Patent No. 5,572,524 to Harada et al. and US Patent Publication No. 2003/0233457 to Basilier et al. The remaining claims are rejected as being obvious over these three references and additional references.

Before discussing the references specifically, it is believed helpful to briefly review the salient points of the present invention. Although the claims are not limited to what is disclosed in the specification, the Examiner is referred to paragraph [0015] of the application, which describes that when a user is away from his home network, the user may wish to use services such as video, for which the respective destination network operator needs to provide far more resources than for normal telephony. For such services, the destination network will also incur

higher charges. Before the invention, there was no way to easily account for the additional services provided to the user. Independent claim 9, for example, recites:

negotiating, between the mobile terminal and the destination mobile switching center, information fully describing the transmission service to be used for the call, the information including at least a Bearer Capability (PLMN-BC) information element,

wherein the destination mobile switching center converts the PLMN-BC information element into an Integrated Services Digital Network (ISDN) User Part (ISUP)-compliant (ISDN-BC) information element, and

wherein the information is stored in the destination mobile switching center and is transported using at least one ISUP message at least to the access mobile switching center to effect the backward signaling.

The other independent claim contains similar, but somewhat different limitations.

Referring again to one potential embodiment paragraph [0025] of the application describes that an access mobile switching center 2 may be provided with information completely describing the transmission service which is to be used. With this information, the access mobile switching center 2 can execute transmission-service-specific functions. In this case, the access mobile switching center 2 is able, by way of example, to influence the rest of call setup, for example, to prevent call setup if the user is not authorized or the services are not available. In addition, this information can be used to bill for the services provide.

The Examiner relies primarily upon Yang et al. This reference describes a problem in that when a mobile unit roams, all call requests from a calling party to the called mobile unit are first routed through the home MSC of the called mobile unit. This happens even when the calling party is in close proximity to the called mobile unit and the home MSC is a far distance from the roaming/called mobile unit. See paragraph [0004]. To address this problem, Yang et al. proposes that a serving (local) MSC 150 initiate backward signaling to a switch 120 to set up a second voice channel that does not traverse the home MSC 140. See abstract. Specifically, the local MSC signals back to the switch of the calling party to initiate optimized routing. Backwards signaling is not described in any detail in the reference. However, backwards signaling results in a release of a first voice channel established with the home MSC.

Backwards signaling itself is nothing new. Yang et al. provides no suggestion for negotiating between a mobile terminal and a destination mobile switching center, information fully describing the transmission service to be used for a call, the information including at least the bearer capability (PLMN-BC) information element. The Yang et al. backwards signaling certainly does not involve a destination mobile switching center converting the PLMN-BC information element into an Integrated Services Digital Network User Part-compliant information element.

With regard to Harada et al., this reference relates to an apparatus for changing over between analog and digital transmission. That is, the reference is directed to enabling an ISDN network to be compatible with an analog network. For this purpose, the reference proposes a digital-transmission/analog-transmission changeover apparatus 16 that determines whether a bearer capability BC contained in a setup message is digital or analog. However, the ISDN-PCM converter is totally out of scope of the present invention. Bearer capabilities are also used for bearer establishment in ISDN.

It is difficult to imagine how the changeover apparatus 16 of Harada et al. could be used to modify the digital wireless network of Yang et al. Perhaps outside of the features shown in Yang et al., the digital wireless network is connected to an analog network. Perhaps Harada et al. could be used to somehow improve that digital/analog connection. However, no possible combination of Harada et al. and Yang et al. would result in features of the present invention.

With regard to Basilier et al., this reference relates to adapting IP-based protocols that were developed for wire-line networks, to mobile computing environments. Specifically, Basilier et al. describes adapting messages between the Session Initiation Protocol (SIP) and ISDN User Part (ISUP) messages. The Examiner cites this reference for converting a PLMN-BC information element into an ISUP compliant information element, which is transported to an access mobile switching center. However, the type of conversion performed in Basilier et al. is different from what the claims require. Moreover, even if the reference related to the same type of conversion, it certainly does not suggest to convert a message that does not exist in the Yang et al./Harada et al. combination and transporting the converted message to an access mobile switching center.

It appears that the Examiner is picking and choosing features from unrelated references to arrive at the claimed invention. It is submitted that there is no suggestion to combine the references. Moreover, even the references were combined the present invention would not result. The three primary references do not suggest the features of the independent claims.

For claim 12, the Examiner additionally relies upon US Patent Publication No. 2003/0099341 to Williams. This reference describes a solution for a direct connection to a voicemail service. The only similarity is that the reference mentions that ISUP messages, IAM and ACM were used. Otherwise, the reference appears to be irrelevant.

For claim 13, the Examiner additionally relies upon US Patent Publication No. 2004/0198326 to Hirani. This reference describes the transport of a language indicator in the IMAM. However, the reference does not cure the deficiencies discussed above with regard to Yang et al., Hirada et al. and Basilier et al.

For claim 16, the Examiner additionally relies upon US Patent Publication No. 2004/0076145. This reference refers to IMS in-band and out-of-band codec negotiation, which is outside the scope of this patent application. The only analogy is LLC. Again this reference does not compensate for the deficiencies described above.

Because none of the cited references disclose or suggest the above-discussed features of the independent claims, it is submitted that the prior art rejections should be withdrawn. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

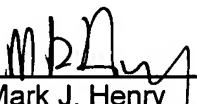
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: Feb 25 2009

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